

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 24477 of 2020

Arising Out of PS. Case No.-280 Year-2019 Thana- BARAUNI District- Begusarai

CHUNCHUN SINGH Son of Parmanand Singh Resident of Village- Bihat
Khemkaranpur Tola, P.S.- Barauni, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Senior Advocate.
Mr. Bipin Kumar, Advocate.
For the Opposite Party/s : Mr. Anand Kishore Chaudhary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-10-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 147, 148, 149, 307, 302 &
120B of the Indian Penal Code and Section 27 of the Arms Act
pending before the learned Chief Judicial Magistrate, Begusarai.

As per the prosecution case, on the date of
occurrence, while the informant along with her family members
was sleeping in her house in the night, at about 12 PM some
persons untied all the cows of the informant. On alarm being
made, her son and daughter-in-law got up and tied the cows.
Meanwhile, she saw in the light of the electricity that the
petitioner along with eleven persons named in the F.I.R. came



out from the house of Sohan Kunwar with pistols in their hands. Amrit Singh alias Botla had a rifle in his hand. On the instigation of Sohan Kunwar, Amrit Singh @ Botla, Sohan Kunwar, Praveen @ Kari, Brajesh Kunwar, Bhola Kunwar, petitioner, Chhotu Kunwar, Rahul Kunwar and Surendra Kunwar resorted firing on the Amarjeet and sustaining multiple gun shot injuries he died on the spot. The motive behind the occurrence is said to be previous case and to grab her land forcibly.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case by the police due to ulterior motive. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has been languishing in custody since 20.11.2019.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that from perusal of the case diary and the prosecution report, it is manifestly clear that the petitioner was involved in the aforesaid occurrence along with other co-accused. Hence, the petitioner does not deserve



bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for bail is hereby rejected.

(Anjani Kumar Sharan, J)

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